

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALICE KRAMER, as Personal Representative :
of the Estate of Arthur Kramer, :

Plaintiff, :

—against— :

LOCKWOOD PENSION SERVICES, INC., :
ET AL., :

Defendants. :

Case No.: 08 CV 2429-DAB-MHD

PHOENIX LIFE INSURANCE CO., :

Third-Party :
Plaintiff, :

—against— :

STEVEN LOCKWOOD, :

Third-Party :
Defendant. :

LIFE PRODUCT CLEARING LLC, :

Third-Party :
Plaintiff, :

—against— :

LIZA KRAMER and ANDREW B. KRAMER, :

Third-Party :
Defendants. :

AFFIDAVIT OF KATHERINE L. VILLANUEVA

STATE OF PENNSYLVANIA)

) SS:

COUNTY OF PHILADELPHIA)

Katherine L. Villanueva, being duly sworn, affirms the following under penalties of
perjury:

1. I am a member of the Bar of the State of New York, am admitted to practice in the Southern District of New York, and am an associate of the law firm of Drinker Biddle & Reath LLP, attorneys for Defendant Lincoln Life & Annuity Company of New York in the above-entitled action. I am familiar with all the facts and circumstances herein. I make this affidavit in support of the Reply Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Amended Complaint.

2. Attached as Exhibit A to the Reply Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Amended Complaint are the unpublished cases cited in the Reply Memorandum, not previously attached as exhibits to Memorandum of Law of Lincoln Life & Annuity Company of New York in Support of Its Motion to Dismiss the Amended Complaint, in alphabetical order.

Dated: July 21, 2008


Katherine L. Villanueva

Sworn to before me this

21st day of July 2008


Notary Public

